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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/758,514	
	Filing Date	01/15/2004	
	First Named Inventor	Wollgast	
	Art Unit	3671	
	Examiner Name	Nathan S. Mammen	
Total Number of Pages in This Submission	56	Attorney Docket Number	03005

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

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Firm Name	Machetta Law Firm, P.C.		
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Printed name	Gary M. Machetta		
Date	04/19 / 2005	Reg. No.	53,251

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

### Complete if Known

Application Number	10 / 758,514
Filing Date	01/15/2004
First Named Inventor	Wollgast
Examiner Name	Nathan S. mammen
Art Unit	3671
Attorney Docket No.	04 / 18 / 2005

### METHOD OF PAYMENT (check all that apply)

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
_____ - 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
_____ - 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

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#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) Fees Paid (\$)

Other (e.g., late filing surcharge): \_\_\_\_\_

SUBMITTED BY			
Signature		Registration No. 53,251 (Attorney/Agent)	Telephone 281-301-2005
Name (Print/Type)	Gary M. Machetta	Date 04/19/2005	

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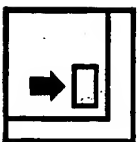
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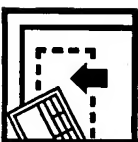
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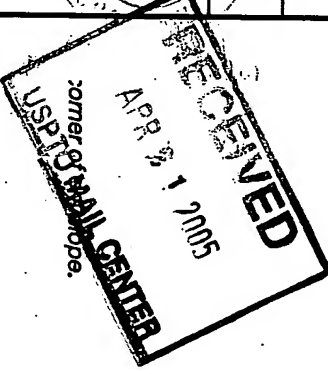
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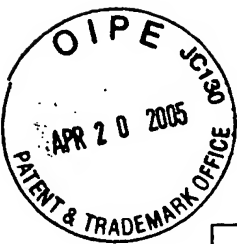
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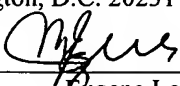
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>RESPONSE TO OFFICE ACTION</b>	Application Number
	10/758,514
<b>ATTACHMENT FOR FORMING SHAPES FOLLOWING EXCAVATION</b>	Filing Date: 01/15/2004
	First Named Inventor: Wollgast et al
	Group Art Unit:3671
	Examiner Name: Nathan S Mammen
	Attorney Docket Number:03005
	Date: 04/18/2005

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**AMENDMENT**

This is in response to the Office Action dated (mailed) February 24, 2005.